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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-276 MHP
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
GILBERTO NARANJO AVILA,)	
)	
Defendant.)	
_____)	

On May 12, 2008, the parties in this case appeared before the Court for their initial status conference before the Court. The parties will appear before the Court again on June 2, 2008. The parties now request that the Court exclude all time under the Speedy Trial Act between May 12, 2008 and June 2, 2008 because the government produced additional documents to defense counsel on May 12, 2008. The parties agree that the length of the continuance is the reasonable time necessary for preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv).

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The parties also agree that the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: May 13, 2008

/s/

TAREK J. HELOU
Assistant United States Attorney

DATED: May 13, 2008

/s/

ELIZABETH M. FALK
Attorney for Defendant GILBERTO NARANJO AVILA

For the reasons stated above, the Court finds that exclusion of time from May 12, 2008 through June 2, 2008 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: 5/14/2008

